

Federal Aviation Administration

Automated Flight Service Station (AFSS) A-76 Performance Decision Information Packet



Frequently Asked Questions

Last Updated August 23, 2005

**Federal Aviation Administration
800 Independence Avenue, SW
Washington, DC 20591**

GOVERNMENT ENTITLEMENTS, BENEFITS AND SERVICES 1

Retirement and Separation Options.....1

1. I am close to retirement but not eligible for an immediate annuity. Will there be any provisions made for me to continue my FAA employment? (February 15, 2005)	1
2. Is it possible for me to use annual or sick leave to reach retirement eligibility prior to October 1, 2005? (February 15, 2005)	1
3. What will happen to the 1.7% contributions I have been paying as an AFSS ATCS FERS employee if I do not qualify for an immediate annuity? Will I be refunded the additional contribution or will deferred retirement benefits be pro-rated? If I take another job with a lower contribution rate, how will that impact my annuity in the future when I choose to retire? (February 15, 2005).....	1
4. How can I get an accurate estimate of how much my deferred annuity would be at my minimum retirement age of 56 years old? Is there a reduction in how much I would get at MRA versus collecting it at age 62? How can I calculate what the lump sum would be for comparison purposes? (February 15, 2005)	2
5. What happens if I take the Discontinued Service Retirement, and then find another job in FAA or another government agency? Will my annuity continue? (April 19, 2005)	2
6. If I choose to work for the federal government outside the FAA, will I still be able to take an ATC retirement when I turn 50? (February 15, 2005)	2
7. Does service time with Lockheed Martin count towards the FAA pension plan currently in effect? Or are we expected to start collecting our FAA pension in October, 2005 if qualified? (February 15, 2005).....	2
8. If I choose to retire, what are the steps that I should take, and how long does this process take? (April 19, 2005).....	3
9. How long after your first retirement check is received do you have to take care of survivor benefits? (February 15, 2005).....	3
10. If you are involuntarily separated or leave the federal government and you are subsequently rehired into the federal government what retirement plan are you placed into? For CSRS? FERS? CSRS Offset? (February 15, 2005)	3
11. I have 20 years ATCS good time, but am planning to leave the government before age 50. If I should return to the federal government in the future, how long will I have to work before I can retire under either the 20 year good time or age 50 ATCS early retirement plan at a minimum annuity of 50% (CSRS)? (February 15, 2005)	4
12. What date should be used as the “effective retirement date” – September 30, 2005 or October 1, 2005? (March 15, 2005)	4
13. Pay Period 21 ends on October 1, 2005. If our last day as FAA employees is September 30, 2005, will I still receive full pay, annual leave, sick leave, health insurance, etc. for Pay Period 21? (April 19, 2005).....	4
14. If I take a job with another federal agency, is there any save-pay feature that would allow me to keep my current pay rate? (March 15, 2005).....	4
15. Are employees who are retired from the military and collecting a military pension eligible for severance pay? (March 15, 2005).....	4
16. If I retire and take a position with Lockheed Martin, how will my annuity be affected? (March 15, 2005).....	4
17. After the death of a retiree, do pension checks continue to be provided to their spouse? Children? Other? (March 29, 2005)	5

18. As a FERS employee contributing to the Thrift Savings Plan program, would I be able to receive any federal disability benefits if I was disabled outside of my Federal employment? If so - how much will I receive and for how long will I receive disability benefits? (March 29, 2005)	5
19. Could you provide the formula that is used to re-compute the CSRS annuity at age 62 1/2 under the Catch 62 provision? (April 19, 2005)	5
20. Please clarify what is applicable to AFSS employees with regard to their pay? Please do this by pay plan, i.e., core comp positions, AT Pay positions and FG positions? Please use plain language. Employees hear "save pay" when in fact it may be "pay retention." (April 19, 2005).....	6
21. Does application for VERA preclude Article 108 time? (April 26, 2005).....	6
22. I am retired military, receiving a military retirement pension. I have been employed with the FAA since 5/5/87 and am not eligible for an immediate annuity. When the phase-in is complete, will I be eligible to receive severance pay, and if not, why? (April 19, 2005)	6
23. If an affected AFSS employee accepts or is offered any position with a non-Federal employer, other than LM, would this impact their rights or benefits? (April 19, 2005)	6
24. What is "same pay" and how is it determined? Are retirement and other benefits part of what is considered when calculating what constitutes "same pay?" (April 19, 2005)	7
25. Since AFSS specialists are contributing to pensions under the ATC special retirement provision whether they can retire at age 50 with 20 years ATC "good time" or at any age with 25 years "good time," will AFSS specialists be able to start collecting deferred retirement (if they do not qualify for any other annuity) at their Minimum Retirement Age (MRA) of 50? (April 19, 2005)	7
26. Can I be detailed to LM in order to serve enough time to meet retirement eligibility? (April 19, 2005).....	7
27. If an affected AFSS employee does not pass initial medical qualification to work for LM, will they then be eligible for an FAA medical retirement? (April 19, 2005)	7
28. The RIF notices issued on 7/19 only refer to optional and discontinued service retirement in the attachment. Why isn't "air traffic controller retirement" mentioned? Does each employee need to call their HRMD to find out if their ATC retirement is still a retirement option? (Updated August 23, 2005).....	8

Separation Incentive8

1. Will there be a buyout incentive offered for early retirement or Reduction-in-Force? (Updated April 19, 2005)	8
------------------------------------------------------------------------------------------------------------------------	---

Life Insurance.....8

1. I am not eligible to retire under an immediate annuity and therefore will not be allowed to continue FEGLI coverage under the government's group policy for more than 31 days after Lockheed Martin assumes services. What are the costs for conversion to individual contracts for life insurance so that I can compare them to what may be available in the outside market? (February 15, 2005)	8
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---

Health Insurance.....8

1. I am not eligible to retire under an immediate annuity and therefore will not be allowed to continue FEHB coverage under the government's group policy for more than 31 days after Lockheed Martin assumes services. What are the costs for conversion to individual contracts for health insurance so that I can compare them to what may be available in the outside market? (February 15, 2005)	8
2. Do I have the option to elect an individual policy with a government group company besides the one I'm currently subscribed to? (February 15, 2005).....	9

Thrift Saving Plan.....9

1. Will the FAA make special arrangements with the Thrift Savings Board with regards to my outstanding TSP loan? (February 15, 2005)..... 9
2. I understand that if I do a rollover to an IRA or similar account that I will not incur any penalties. Is this true? Where can I find information on the procedure for doing this? (March 29, 2005)..... 9
3. Is it possible to continue to repay a TSP loan while receiving severance pay, or must the loan be repaid in full by the day Lockheed Martin takes over? (March 29, 2005) 9

Unused Annual and Sick Leave10

1. If I do not receive a sick leave buyback will my sick leave be reinstated if I am hired by the government? (February 15, 2005) 10
2. How will the 40% sick leave buy back be determined for employees who switched from the Civil Service Retirement System (CSRS) to the Federal Employees Retirement System (FERS) and will now retire under the FERS rules? Does the sick leave previously earned under CSRS count toward the sick leave that can be used under the buy back provision? (Updated August 23, 2005)..... 10

Unemployment Compensation.....10

1. If I receive severance pay and do not work for Lockheed Martin when would my unemployment benefits start? (February 15, 2005)..... 10
2. Will receipt of unemployment benefits have any effect on my eligibility for preferred placement programs, career transition, or other benefits? (April 19, 2005) 10

Severance Pay11

1. Am I still entitled to severance pay if I take a job with Lockheed Martin or any other non-government employer? (February 9, 2005) 11
2. If I receive severance pay, do I have to repay it if I am rehired back into the government? Do you have to be separated for a certain amount of time before rehire to avoid repayment? (February 15, 2005)..... 11
3. FAA Personnel Management System, Chapter 1, Par 14(a), allows for severance pay to be paid in one or two lump sum payments. Will I be given this option? (March 29, 2005) 11
4. If I receive severance pay after a RIF, will I still be able to draw a deferred retirement if I don't work for the government again? (March 29, 2005)..... 11
5. Will all employees receive severance pay based on the formula that includes the age allowance? (April 19, 2005)..... 11
6. Will receipt of severance pay have any effect on my eligibility for preferred placement programs, career transition, or other benefits? (April 19, 2005) 11

Employee Assistance Program.....12

1. What types of issues can the Employee Assistance Program (EAP) help me with? What about Magellan Health? (April 19, 2005) 12

CAREER TRANSITION 12

Certification as “Surplus”12

1. On what date will I be certified as “surplus?” (February 9, 2005) 12
2. What activities, as a surplus employee, can I engage in when using the up to 16 hours under the career transition program? (April 19, 2005)..... 12
3. Will Career Transition assistance personnel, either FAA HR or FPMI, be available and active at our

facility, or will we only be able to try to receive services over the phone or on-line? (April 19, 2005).....	12
---------------------------------------------------------------------------------------------------------------	----

Career Transition Assistance Services.....13

1. What Career Transition Assistance services are available to me today and where can I access them? (April 19, 2005).....	13
2. When will I be allowed to use 16 hours per pay period for training and job searching? (March 15, 2005).....	13
3. If I am temporarily medically disqualified, will I still qualify for Career Transition Assistance Services? (February 9, 2005).....	13
4. Does the FAA plan to obtain an agreement with other agencies for an Interagency Career Transition Assistant Program (ICTAP)? (February 15, 2005).....	13
5. Will the offer or acceptance of a position with Lockheed Martin or any other private company affect my entitlement to pursue career transition assistance activities? What about an offer or acceptance of a position with the Government? (March 15, 2005).....	14
6. If I submit the paperwork for a VERA, does that affect my ability to utilize Career Transition Assistance Services? (April 19, 2005).....	14
7. On the USAJobs website it asks, "Are you ICTAP eligible?" At this point we are "surplus" and have not been given a RIF notice, although it appears they are to come soon. So how would a person answer that question on the USAJobs website? (April 19, 2005).....	14
8. In EMP 1.22, as part of the career transition service, retraining is supposed to be provided. We had an HR briefing last week at our facility, SEA AFSS, and were told no retraining would be provided. Why? (April 19, 2005)	14
9. If I participate in any legal action against the Agency, would it affect in any way my rights or eligibility of SPP, PPP, severance pay, RIF rights, or any other Career Transition related assistance or programs? (April 19, 2005).....	14

REDUCTION-IN-FORCE..... 15

General 15

1. If I participate in any legal action against the Agency, would it affect in any way my rights or eligibility of SPP, PPP, severance pay, RIF rights, or any other Career Transition related assistance or programs? (April 19, 2005).....	15
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----

Designation as “Displaced”15

1. When do I cease to be a government employee? (April 19, 2005).....	15
-----------------------------------------------------------------------	----

Notification Timeframes.....15

1. When will I receive my RIF Notice? (April 19, 2005).....	15
2. Does the FAA have to follow all the provisions of Title 5 and Government-wide Reductions-In-Force procedures, or does the Agency consider itself exempt from any or all of these provisions? (April 19, 2005).....	15
3. On what date will I be designated as “displaced?” (February 9, 2005).....	15

FAA PLACEMENT AND WAIVER PROGRAMS 16

General 16

1. Will affected AFSS employees have to apply for each available position individually, or will they be able to be placed on a list to be considered for all such positions? (April 19, 2005)	16
2. Under what circumstances would AFSS employees be eligible for paid relocation expenses with FAA or another Federal agency? (April 19, 2005).....	16
3. How many positions will be available under the PPPs and SPP for AFSS employees to receive consideration?.....	16
4. Will affected AFSS employees who are temporarily medically disqualified at the time the announcement is made be denied their Selection Priority Program rights?	16
5. If I participate in any legal action against the Agency, would it affect in any way my rights or eligibility of SPP, PPP, severance pay, RIF rights, or any other Career Transition related assistance or programs? (April 19, 2005).....	17

ATO Preferred Placement Program17

1. Will employees with CTOs have seniority over the employees that do not for job offers in towers and centers? (February 9, 2005)	17
2. When will more details on the process and procedures for this program be provided? (March 15, 2005).....	17
3. If I submit an application, am offered a position or accept a position with Lockheed Martin, am I still eligible for the ATO Preferred Placement Program? If I accept a position with Lockheed Martin during their second HR visit, am I still eligible? If I decline a position with Lockheed Martin during their second HR visit, am I still eligible? (April 19, 2005)	18
4. Will the FAA use “time left until retirement” as a basis for selection under the ATO Preferred Placement Program? (March 15, 2005).....	18
5. Now that HR Policy Bulletin 29 is effective, will surplus or displaced employees be selected prior to October 1, 2005 Transition? (March 15, 2005).....	18
6. I bid on a vacancy announcement and was placed on the selection list. Will I be considered for that bid under the ATO Preferred Placement Program? (March 15, 2005).....	18
7. If I am selected for another position through ATO Preferred Placement Program at a lower grade am I entitled to "retain pay"? Does it make a difference if I am certified as “surplus” or designated as “displaced?” (March 15, 2005)	18
8. I’ve heard that the Internal Placement Program (IPP) is not being used by the ATO at this time. Can I be placed into a position under the ATO Preferred Placement Program using an IPP? (March 17, 2005).....	19
9. I’ve heard PPP can be used for reassignments and downgrades. If I bid on a job 1 level above (ie: H band bidding on I band job) what happens to my bid package? Will it go to the selecting official or will it be returned to me as "not eligible" or will it be held and submitted to the selecting official if no one else bids on the job and processed as a regular bid? (April 19, 2005).....	19
10. Please explain why is it that 10 MARC students were placed into Salt Lake ARTCC on March 6, 2005 and several others were placed into Denver ARTCC and Seattle ARTCC. I thought there would be no hiring outside of the agency while the hiring programs are in effect for displaced/surplus AFSS personnel. (April 19, 2005)	19
11. Would you please consider making jobs in differing career fields slant bids, so we could come in at a training level, and then advance to the equivalent of FPL. e.g. airport compliance specialist, or security specialist? While it is good that the PPP was extended to all jobs in FAA, it doesn't do us in AFSS much good if all the jobs are advertised at such high rates we can't reach them. We have much to offer from the FSS ranks, but spent many years in our specialized field. We don't have the specialized experience needed for most jobs being bid, other than air traffic, but can certainly learn.	

We know FAA's mission, and can certainly be useful in other LOBs, we just need some training opportunities. (April 19, 2005).....	20
12. If I accept a Lockheed Martin job offer, what happens to my eligibility for the Maximum Entry Age Exemption Program? Do I still retain the ability to use the program through October 1st, or does acceptance of a Lockheed Martin job offer terminate this program for AFSS Specialists who accept a Lockheed offer? (April 19, 2005).....	20
13. If I have an IPP Internal Placement Program request for reassignment to a FAA ATC Terminal and the Air Traffic manager would like to select me, am I not eligible for selection based on HRPMP EMP-1.14 Permanent Internal Assignments, paragraph 9 EMPLOYEE REQUESTED REASSIGNMENTS, "An employee may initiate a request for reassignment outside of the announced vacancy process." I know I wouldn't be given Priority Placement being that is given to Announced Vacancies, but I have had two FAA AT Tower managers interested in selecting me on an IPP, but are over their staffing limit. (April 19, 2005)	20
14. Can you provide details on the ATO Preferred Placement Program? (April 19, 2005)	20

Maximum Entry Age Exemption Program for Surplus and Displaced FAA Employees.....21

1. I was selected for a tower position before the announcement was made and I do not need an age waiver. How will these selections be handled? (February 9, 2005)	21
2. Why has the FAA decided that AFSS specialists are no longer allowed to bid on tower jobs unless they have a CTO? (February 9, 2005)	21
3. When will details on the process and procedures for this program be provided? (March 15, 2005) ..	21
4. If I submit an application to Lockheed Martin, am I still eligible for the Maximum Entry Age Exemption Program? If I accept a position with Lockheed Martin during their second HR visit, am I still eligible? If I decline a position with Lockheed Martin during their second HR visit, am I still eligible? (March 15, 2005)	22
5. Now that HR Policy Bulletin 30 is effective, will surplus or displaced employees be selected prior to October 1, 2005 Transition? (March 15, 2005)	22
6. Under this program, can I apply for and be selected for a DOD Air Traffic job that also has a maximum entry age of 30? Or is this program only applicable for the maximum entry age applied to positions within the FAA? (March 29, 2005).....	22

Selection Priority Program22

1. When will details on the process and procedures for this program be provided? (February 9, 2005) ..	22
2. How long am I eligible for this program? (April 19, 2005)	23
3. If I submit an application to Lockheed Martin, am I still eligible for the Selection Priority Program? (April 19, 2005).....	23
4. If I accept a position with Lockheed Martin during their second HR visit, am I still eligible for the Selection Priority Program? If I decline a position with Lockheed Martin during their second HR visit, am I still eligible? (April 19, 2005)	23
5. If I do not apply for and accept a job with Lockheed Martin, does this constitute “not responding to a job offer” and make me ineligible for the selection priority program? (April 19, 2005)	23

Age 56 Waiver Program.....24

1. If I submit an application to Lockheed Martin, am I still eligible for the Age 56 Waiver Program? If I accept a position with Lockheed Martin during their second HR visit, am I still eligible? If I decline a position with Lockheed Martin during their second HR visit, am I still eligible? (March 29, 2005).....	24
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----

SUMMARY OF SOURCE SELECTION PROCESS..... 24

1. What is a “contest?” (April 05, 2005) 24
2. What is the process for contests? (April 05, 2005)..... 24
3. How long will the contest take to adjudicate? (April 05, 2005)..... 25
4. Who has the authority to rule about the contest? Who Makes the Final Decision? (April 05, 2005) .. 25
5. When will we know the outcome of the contest? (April 05, 2005)..... 25
6. If the A-76 decision should change as a result of the contest, can Lockheed or another vendor file an appeal? (April 05, 2005)..... 25
7. Will the phase-in period for Lockheed continue during the next few weeks? (April 05, 2005) 26

RIGHT OF FIRST REFUSAL..... 26

1. I’ve heard that during your visit to the Lockheed Martin Open House people are asked to sign a list that had something to do with Right of First Refusal. What is this? What does it mean if I sign it? (March 29, 2005) 26
2. How long does my Right of First Refusal last? (March 29, 2005)..... 26

NEXT STEPS 27

Service Provider Recruitment of Current Employees.....27

1. When Lockheed makes their visits, will employees who are off on leave or RDO get comp-time or credit hours for coming in? (February 15, 2005)..... 27
2. Will AHR support be available to answer questions during these visits? (February 15, 2005) 27

Government Entitlements, Benefits and Services

Retirement and Separation Options

- 1. I am close to retirement but not eligible for an immediate annuity. Will there be any provisions made for me to continue my FAA employment? (February 15, 2005)**

If you desire to continue FAA employment you are encouraged to bid under any FAA job vacancy that you feel qualified. Upon implementation, the Preferred Placement Program will provide adversely affected employees placement consideration for positions throughout the ATO for which they qualify. However, employees must submit an application for each vacancy to receive consideration.

- 2. Is it possible for me to use annual or sick leave to reach retirement eligibility prior to October 1, 2005? (February 15, 2005)**

The law states that "...an employee who is being involuntarily separated from an agency due to reduction-in-force...may elect to use annual leave...only to the extent that such additional time in a pay status will enable the employee to qualify for an immediate annuity..."

To qualify for retirement, an employee must have both age and service, and an employee would be able to stay on the agency's rolls until these requirements were met. Please note that this applies **ONLY** to a Discontinued Service Retirement (DSR) and cannot be used for optional retirement taken before September 30, 2005.

- 3. What will happen to the 1.7% contributions I have been paying as an AFSS ATCS FERS employee if I do not qualify for an immediate annuity? Will I be refunded the additional contribution or will deferred retirement benefits be pro-rated? If I take another job with a lower contribution rate, how will that impact my annuity in the future when I choose to retire? (February 15, 2005)**

You cannot receive a partial refund of your additional .7% contributions to FERS. To get the 1.7% benefit, an employee must be eligible for an immediate ATCT annuity. If at time of separation an employee is only eligible for a deferred benefit, the deferred annuity will be computed using the regular FERS formula; 1% of hi-3; if age 62 with 20 years of service, the formula is 1.1% of hi-3.

- 4. How can I get an accurate estimate of how much my deferred annuity would be at my minimum retirement age of 56 years old? Is there a reduction in how much I would get at MRA versus collecting it at age 62? How can I calculate what the lump sum would be for comparison purposes? (February 15, 2005)**

We encourage you to contact the Benefits Section of your servicing regional FAA HR office for specific individual information concerning retirement or any other benefits. You may call the Help Desk in your region which is listed under the HRMD Contact Information section of the AFSS A-76 Announcement Packet. This packet is available online at <http://www.faa.gov/aca>.

- 5. What happens if I take the Discontinued Service Retirement, and then find another job in FAA or another government agency? Will my annuity continue? (April 19, 2005)**

If you are a CSRS employee and you retire under Discontinued Service Retirement and accept a position with a federal agency, your annuity is terminated upon federal re-employment and you acquire a new retirement right.

Rules for Voluntary Early Retirement Authority (VERA) are different. If you retire under a VERA and accept a position with a federal agency, your pay will be reduced by the amount of the annuity you will continue to receive.

If you are a FERS employee and you retire under Discontinued Service Retirement and accept a position with a federal agency, your annuity continues and your pay will be offset by the amount of your annuity.

- 6. If I choose to work for the federal government outside the FAA, will I still be able to take an ATC retirement when I turn 50? (February 15, 2005)**

You do not have to be in a position under ATCS Public Law at the time of retirement to qualify under ATCS Special Retirement. If you reach age 50 while in federal employment in any federal agency and have at least 20 years of “good time,” you may retire at that time under the ATCS special Retirement Provision.

- 7. Does service time with Lockheed Martin count towards the FAA pension plan currently in effect? Or are we expected to start collecting our FAA pension in October, 2005 if qualified? (February 15, 2005)**

Lockheed Martin is a private sector employer. Service time with Lockheed Martin will not count towards any government pension plan. Retirement is always an option available to you if and when you meet eligibility.

8. If I choose to retire, what are the steps that I should take, and how long does this process take? (April 19, 2005)

It is recommended that employees submit completed paperwork to their servicing AHR office 2 months before you want your retirement to become effective. Please contact your local FAA AHR office for the required application paperwork and to answer any questions you may have.

(NOTE: Once application for retirement is made, eligibility to participate in the Preferred Placement Programs is terminated.)

9. How long after your first retirement check is received do you have to take care of survivor benefits? (February 15, 2005)

You must make an election for survivor benefits before retirement and submit with your initial retirement papers. You may revoke or change a survivor election if, not later than 30 days after the date of the first regular monthly payment, you file a new written election with OPM. After the 30-day period following the date your first regular monthly payment has passed, you cannot change your survivor election except in specific circumstances. See Chapter 52 of CSRS and FERS Handbook for Personnel and Payroll, available at <http://www.opm.gov>.

10. If you are involuntarily separated or leave the federal government and you are subsequently rehired into the federal government what retirement plan are you placed into? For CSRS? FERS? CSRS Offset? (February 15, 2005)

In general, here are the rules:

If you separated from the FAA as a FERS employee and are re-employed in a federal agency, you will be placed in FERS.

If you are a CSRS employee with at least 5 years of CSRS service, and are separated for less than one year, and are re-employed by a federal agency, you will be placed in CSRS. You will be given the option of transferring to FERS upon re-employment as long as your break in service is more than 3 days.

If you're a CSRS employee with at least 5 years of CSRS service at time of separation, and have been separated for one year or more, and are later re-employed by a federal agency, you will be placed in CSRS-Offset. You will be given the option of transferring to FERS upon re-employment.

Finally, if you have been a CSRS-Offset employee with at least 5 years of service under CSRS/CSRS Offset and are re-employed in the federal government, you will be placed in CSRS Offset with an option to transfer to FERS.

You are encouraged to contact the Help Desk or a benefits specialist at your HRMD to discuss options as they apply to you specifically.

- 11. I have 20 years ATCS good time, but am planning to leave the government before age 50. If I should return to the federal government in the future, how long will I have to work before I can retire under either the 20 year good time or age 50 ATCS early retirement plan at a minimum annuity of 50% (CSRS)? (February 15, 2005)**

You do not have to be in a position covered under ATCS Public Law at the time of retirement to qualify under ATCS Special Retirement. If you reach age 50 while in federal employment in any federal agency and have at least 20 years of “good time,” you may retire at that time under the ATCS Special Retirement Provisions.

- 12. What date should be used as the “effective retirement date” – September 30, 2005 or October 1, 2005? (March 15, 2005)**

The effective date of your retirement is a personal choice. However, if you desire to remain with the agency through the phase-in period, the effective date will be on or about October 1, 2005. A final date has not yet been established.

- 13. Pay Period 21 ends on October 1, 2005. If our last day as FAA employees is September 30, 2005, will I still receive full pay, annual leave, sick leave, health insurance, etc. for Pay Period 21? (April 19, 2005)**

When the effective date of reduction-in-force separations is determined, specific information will be provided on the compensation and benefits implications at that time.

- 14. If I take a job with another federal agency, is there any save-pay feature that would allow me to keep my current pay rate? (March 15, 2005)**

It is at the discretion of the gaining Federal agency whether or not they will extend what is termed as “highest previous rate” to a new employee.

- 15. Are employees who are retired from the military and collecting a military pension eligible for severance pay? (March 15, 2005)**

No, they are not.

- 16. If I retire and take a position with Lockheed Martin, how will my annuity be affected? (March 15, 2005)**

Acceptance of a position with Lockheed Martin does not impact how your retirement annuity is computed.

17. After the death of a retiree, do pension checks continue to be provided to their spouse? Children? Other? (March 29, 2005)

Yes, if the retiree elected a survivor benefit for his/her spouse. Payments for children (age 18 and under, age 18 - 22 if a full time student, or age 18 and older if incapable of self-support) are paid by OPM at the time of death and do not need to be elected.

18. As a FERS employee contributing to the Thrift Savings Plan program, would I be able to receive any federal disability benefits if I was disabled outside of my Federal employment? If so - how much will I receive and for how long will I receive disability benefits? (March 29, 2005)

If you are disabled as a Federal employee, you may be entitled to Social Security disability benefits. However, the requirements for a disability from Social Security are very different than the requirements administered by the Office of Personnel Management. The standard under Social Security is that you be disabled for any gainful employment. Should you qualify, those benefits continue for as long as you are disabled.

If you are disabled because of an accident or illness unrelated to your Federal employment, OPM defines disability as unable or inability to render useful and efficient service because of disease or injury: In the employee's current position; or in a vacant position in the same agency at the same grade or pay level for which the individual is qualified for reassignment.

Whether the disability occurred as a result of Federal employment or outside Federal employment is immaterial. Should you qualify for a disability from OPM, those benefits are payable as long as you remain disabled. (NOTE: OPM approves a disability based on the expectation that the disability will continue for at least 1 year or more.)

19. Could you provide the formula that is used to re-compute the CSRS annuity at age 62 1/2 under the Catch 62 provision? (April 19, 2005)

In general, there are three possibilities:

- (1) Employees who made the military deposit prior to retirement, retired prior to age 62; and are eligible for social security benefits after retirement. These employees will continue to receive credit for post-1956 military service after reaching age 62.
- (2) Employees who did not make the military deposit before retirement, retired prior to age 62, and are eligible for social security benefits at age 62. These employees have their annuities recomputed at age 62 to eliminate credit for the post-1956 military service. The effective date of the exclusion of military service is the first day of the month in which the person becomes eligible for Social Security old age benefits.

- (3) Employees who retired prior to age 62 and are not eligible for social security benefits at age 62. These employees continue to receive credit for the post-1956 military service even if they become entitled to Social Security at a later date and the military deposit was not made.

To obtain the formula, subtract your years, months and days of military service from your retirement service computation date. Convert the years and months of civilian service to a retirement factor (excess days are dropped) using the following formula: 1.5% for the first 5 years of service, plus 1.75% for the next 5 years of service, plus 2% for all service over 10 years.

NOTE: If you were first employed by the Federal Government before October 1, 1982, see your benefit specialist for additional rules.

- 20. Please clarify what is applicable to AFSS employees with regard to their pay? Please do this by pay plan, i.e., core comp positions, AT Pay positions and FG positions? Please use plain language. Employees hear "save pay" when in fact it may be "pay retention." (April 19, 2005)**

Positions under Core Compensation, FG positions and Air Traffic Pay Plan positions each follow different pay setting rules. When applying for positions, you should refer to the information provided in individual announcements concerning the proper pay setting rules for that position to ensure that you have the most accurate information.

- 21. Does application for VERA preclude Article 108 time? (April 26, 2005)**

Yes, for bargaining unit employees in accordance with the Memorandum of Agreement of 4/1/05.

- 22. I am retired military, receiving a military retirement pension. I have been employed with the FAA since 5/5/87 and am not eligible for an immediate annuity. When the phase-in is complete, will I be eligible to receive severance pay, and if not, why? (April 19, 2005)**

No, because employees in receipt of a military retirement pension are not eligible for severance pay.

- 23. If an affected AFSS employee accepts or is offered any position with a non-Federal employer, other than LM, would this impact their rights or benefits? (April 19, 2005)**

No. The specific provisions of available programs (e.g.,-Career Transition, Preferred Placement, Selection Priority etc.) and benefits would be administered as already described.

24. What is “same pay” and how is it determined? Are retirement and other benefits part of what is considered when calculating what constitutes “same pay?” (April 19, 2005)

“Same pay” is same or higher salary (base pay and locality pay/COLA).

25. Since AFSS specialists are contributing to pensions under the ATC special retirement provision whether they can retire at age 50 with 20 years ATC “good time” or at any age with 25 years “good time,” will AFSS specialists be able to start collecting deferred retirement (if they do not qualify for any other annuity) at their Minimum Retirement Age (MRA) of 50? (April 19, 2005)

FERS: eligible for a deferred annuity if you meet all of the following requirements:

- You are not qualified for an immediate annuity at separation
- You did not take a refund of retirement contributions
- You receive an annuity payable at a later date
- Are separated with at least 5 years of service covered by a retirement deduction
- Are age 62 with at least 5 years of creditable service, age 60 and 20 years of creditable service, OR, MRA with at least 10 years of creditable service

26. Can I be detailed to LM in order to serve enough time to meet retirement eligibility? (April 19, 2005)

The provisions of FAA policy EMP-1.18, Assignments to Other Public or Private Organizations, permit detailing FAA employees to Federal, State, local and Indian tribal governments, private industry, and non-profit organizations, among others. The criteria is that it must be demonstrated that the performance of work {is} of mutual concern and benefit, and that the assignment must abide by conflict of interest and ethical reviews by the FAA’s Office of Chief Counsel. In brief, assignments of this type must, in part be based on an identified long-term benefit to the detailing (FAA) agency, and that the detail would result in enriching the experience of the detailee and that the detailee would be able to provide greater value to their parent organization (FAA) upon return. This type of assignment is not intended to disrupt the employee’s Federal service career and there is every expectation that the employee will return to the agency. The detailing agency generally bears the employee’s salary and benefit costs for the duration of such assignment. In the case, as proposed, FAA must take the actions necessary to implement the A-76 performance decision. That includes separating employees on a date applicable to all. Therefore, this policy would not be appropriate for use in this case.

27. If an affected AFSS employee does not pass initial medical qualification to work for LM, will they then be eligible for an FAA medical retirement? (April 19, 2005)

Any employee who meets the eligibility requirements for disability retirement may make applications at any time, regardless of consideration for other Federal or non-Federal employment.

- 28. The RIF notices issued on 7/19 only refer to optional and discontinued service retirement in the attachment. Why isn't "air traffic controller retirement" mentioned? Does each employee need to call their HRMD to find out if their ATC retirement is still a retirement option? (Updated August 23, 2005)**

Retirement under the special provisions for air traffic controllers is a form of optional retirement. As such, the RIF notices are accurate. Therefore, employees do not need to contact their HRMD to find out if ATC Special Retirement is a retirement option - it is.

Separation Incentive

- 1. Will there be a buyout incentive offered for early retirement or Reduction-in-Force? (Updated April 19, 2005)**

Currently FAA plans to offer buyout incentives to the employees in the Alaska Flight Service Area, with the contingency that approval of a buyout results in the selection of an impacted AFSS employee for the resulting vacancy. An additional early retirement window may be offered concurrently, and if it is, it will be amended.

Life Insurance

- 1. I am not eligible to retire under an immediate annuity and therefore will not be allowed to continue FEGLI coverage under the government's group policy for more than 31 days after Lockheed Martin assumes services. What are the costs for conversion to individual contracts for life insurance so that I can compare them to what may be available in the outside market? (February 15, 2005)**

At the time of separation, you will be given an SF-2819, Notice of Conversion Privilege, which has information regarding converting your FEGLI coverage. There is also a chart on the form with some sample insurance rates, provided by age, which you may want to review. You can access this form at http://www.opm.gov/forms/pdf_fill/sf2819.pdf.

Health Insurance

- 1. I am not eligible to retire under an immediate annuity and therefore will not be allowed to continue FEHB coverage under the government's group policy for more than 31 days after Lockheed Martin assumes services. What are the costs for conversion to individual contracts for health insurance so that I can compare them to what may be available in the outside market? (February 15, 2005)**

If you separate and are not eligible for an immediate annuity, your coverage continues at no charge for 31 days. After that, you may file for Temporary Continuation of Coverage (TCC). Under TCC, you will be responsible for the entire premium plus a 2% fee (for a total of 102%). An employee can continue TCC for 18 months after separation.

2. Do I have the option to elect an individual policy with a government group company besides the one I'm currently subscribed to? (February 15, 2005)

Outside of open season, you can enroll in the FEHB Program, change your enrollment, change to self only or cancel coverage only in conjunction with certain events, called qualifying life events (QLEs). The major QLEs that permit enrollment or change in enrollment are:

- A change in family status
- A change in employment status
- You or a family member lose FEHB or other coverage

A change to self only may be made only if the QLE causes the enrollee to be the last eligible family member under FEHB enrollment. You may refer to <http://opm.gov/insure/health/index.asp> for complete information.

Thrift Saving Plan

1. Will the FAA make special arrangements with the Thrift Savings Board with regards to my outstanding TSP loan? (February 15, 2005)

If the TSP loan is not repaid at the time of separation from FAA, the TSP Board will report the amount owed to the IRS as a distribution. FAA cannot make any special arrangements with the TSP Board.

2. I understand that if I do a rollover to an IRA or similar account that I will not incur any penalties. Is this true? Where can I find information on the procedure for doing this? (March 29, 2005)

In order to avoid the penalties for receiving the refund of retirement contributions or thrift savings plan contributions, you may consider rollover of those funds to an Individual Retirement Account. The decision is yours to make and pertinent information to assist you in performing this action can be obtained from your financial institution and www.tsp.gov.

3. Is it possible to continue to repay a TSP loan while receiving severance pay, or must the loan be repaid in full by the day Lockheed Martin takes over? (March 29, 2005)

If an employee separates from Federal service for any purpose before a TSP loan is repaid, the employee has the option of paying the loan in full or taking a taxable distribution of the unpaid balance. If you have a TSP loan at the time of separation and do not repay the full amount to TSP, TSP will report the unpaid loan balance to IRS as a distribution. You will be responsible for any income taxes, including the 10% early withdrawal penalty (if you are younger than 59 and ½ years old) when you file your income tax returns.

Unused Annual and Sick Leave

- 1. If I do not receive a sick leave buyback will my sick leave be reinstated if I am hired by the government? (February 15, 2005)**

Yes. If you are rehired into the Federal Government, your sick leave balance will be reinstated.

- 2. How will the 40% sick leave buy back be determined for employees who switched from the Civil Service Retirement System (CSRS) to the Federal Employees Retirement System (FERS) and will now retire under the FERS rules? Does the sick leave previously earned under CSRS count toward the sick leave that can be used under the buy back provision? (Updated August 23, 2005)**

The 40% sick leave buy back is based on the number of hours of sick leave an employee accumulated (earned) under the FERS system only, and only those hours are available for this purpose. For those employees who converted from CSRS to FERS, only the sick leave accumulated (earned) under FERS is applicable.

Unemployment Compensation

- 1. If I receive severance pay and do not work for Lockheed Martin when would my unemployment benefits start? (February 15, 2005)**

Each state has different rules concerning unemployment insurance benefits. Your state's Department of Labor (DOL) website provides information on the current rules for the state. The Career Transition Assistance Service will be able to assist you in locating information about your state's eligibility for unemployment compensation benefits *or* you can contact your state unemployment office directly.

- 2. Will receipt of unemployment benefits have any effect on my eligibility for preferred placement programs, career transition, or other benefits? (April 19, 2005)**

No.

Severance Pay

1. Am I still entitled to severance pay if I take a job with Lockheed Martin or any other non-government employer? (February 9, 2005)

All employees involuntarily separated by RIF, will be eligible to receive severance pay if not otherwise eligible for an immediate annuity. If you accept employment with Lockheed Martin, you are still eligible to receive severance pay consistent with the information provided in the “Automated Flight Service Station A-76 Announcement Information Packet.” This information packet was distributed to employees at each facility and is also available on the Office of Competitive Sourcing website at <http://www.faa.gov/aca>.

2. If I receive severance pay, do I have to repay it if I am rehired back into the government? Do you have to be separated for a certain amount of time before rehire to avoid repayment? (February 15, 2005)

Severance pay is distributed bi-weekly for 52 weeks or full distribution of the calculated severance pay, whichever comes first. Employment in any federal agency will cause severance pay to cease. Any paid severance pay received prior to reemployment in a federal agency will not have to be repaid.

3. FAA Personnel Management System, Chapter 1, Par 14(a), allows for severance pay to be paid in one or two lump sum payments. Will I be given this option? (March 29, 2005)

The current method of payment of severance pay is on a bi-weekly basis. The option to pay severance pay in one or two lump sum payments is not available.

4. If I receive severance pay after a RIF, will I still be able to draw a deferred retirement if I don't work for the government again? (March 29, 2005)

Yes, you may draw severance pay and later be entitled to a Deferred annuity. Entitlement to a Deferred Annuity is NOT affected by severance pay.

5. Will all employees receive severance pay based on the formula that includes the age allowance? (April 19, 2005)

Yes.

6. Will receipt of severance pay have any effect on my eligibility for preferred placement programs, career transition, or other benefits? (April 19, 2005)

No. However, preferred placement programs are scheduled to expire prior to an employee's receipt of any severance pay.

Employee Assistance Program

1. What types of issues can the Employee Assistance Program (EAP) help me with? What about Magellan Health? (April 19, 2005)

The EAP, administered through a contract with Magellan Health, can assist employees with a wide variety of problems including family issues (marriage counseling, child care, single parenting, care of aging parents, separation, divorce); medical concerns (smoking cessation, weight reduction, stress, chemical dependency-alcohol and other drugs), emotional problems (depression, anxiety, grief); and concerns with legal and financial issues.

On-site EAP seminars were provided in late 2004; another seminar is being planned for mid-2005. In emergencies, EAP counselors are available 24/7, and if necessary, will provide personal assistance as required.

Career Transition

Certification as "Surplus"

1. On what date will I be certified as "surplus?" (February 9, 2005)

AFSS and FSDPS employees were certified as "surplus" on February 22, 2005.

2. What activities, as a surplus employee, can I engage in when using the up to 16 hours under the career transition program? (April 19, 2005)

Employees are entitled up to the authorized number of career transition hours per pay period consistent with FAA policy, the collective bargaining agreement, the NAATS Memorandum of Agreement of April 1, 2005 and the AFSS manager's discretion in granting time off in consideration of operational activities and demands. How employees use the authorized hours must be coordinated with their individual AFSS managers and approval for use of the time must be requested and approved in advance.

3. Will Career Transition assistance personnel, either FAA HR or FPML, be available and active at our facility, or will we only be able to try to receive services over the phone or on-line? (April 19, 2005)

Career transition services are available through a variety of means. Services from the Career Transition Assistance Center are available by a toll-free number, internet access and e-mail; your HR servicing office is available by phone and e-mail, and HR personnel are available during on-site visits conducted March 14 - May 11, 2005.

Career Transition Assistance Services

1. What Career Transition Assistance services are available to me today and where can I access them? (April 19, 2005)

FAA Career Transition Assistance Services are available to employees who have been certified as “surplus.” Surplus designation notifications were issued to all affected AFSS and FSDPS employees on February 22, 2005.

A full list of available services is provided at the AFSS Career Transition Assistance Center (CTAC) website - <http://www.fpmisolutions.com/ctac/> or <http://www.faa.gov/ahr>.

A quick reference guide to the services they provide can be found at http://www.fpmisolutions.com/ctac/pdf/AFSS-CTAC_Quick_Guide_Post_Surplus.pdf or www.faa.gov/ahr.

CTAC #: (866) 580-3938; Hours and days of operation: 8:00 a.m. to 8:00 p.m. ET, Monday through Friday (except Federal holidays); FAX #: (202) 376-3900.

2. When will I be allowed to use 16 hours per pay period for training and job searching? (March 15, 2005)

FAA policy for non-bargaining unit employees, and NAATS Article 108 provisions for bargaining unit employees, will not be in effect until employees have been certified as “surplus.” Surplus designation notifications were issued to all affected AFSS and FSDPS employees on February 22, 2005.

3. If I am temporarily medically disqualified, will I still qualify for Career Transition Assistance Services? (February 9, 2005)

Career Transition Assistance Services are available to all employees certified as “surplus” regardless of their medical or operational qualification status.

4. Does the FAA plan to obtain an agreement with other agencies for an Interagency Career Transition Assistant Program (ICTAP)? (February 15, 2005)

FAA will provide Career Transition Assistance services to all affected employees certified as “surplus” to the agency. The FAA is not a participant in the ICTAP.

- 5. Will the offer or acceptance of a position with Lockheed Martin or any other private company affect my entitlement to pursue career transition assistance activities? What about an offer or acceptance of a position with the Government? (March 15, 2005)**

The FAA will provide career transition assistance for all current FAA employees (and their spouses if space is available) who are designated surplus or displaced, or have been separated through reduction-in-force procedures, consistent with FAA Human Resource Policy Manual EMP-1.22, Career Transition Program.

- 6. If I submit the paperwork for a VERA, does that affect my ability to utilize Career Transition Assistance Services? (April 19, 2005)**

Career Transition Services are available to you as long as you are certified as surplus or displaced. Application for voluntary early retirement (VERA) will terminate eligibility to participate in the ATO and FAA Preferred Placement Programs.

- 7. On the USAJobs website it asks, "Are you ICTAP eligible?" At this point we are "surplus" and have not been given a RIF notice, although it appears they are to come soon. So how would a person answer that question on the USAJobs website? (April 19, 2005)**

The FAA does not participate in ICTAP. Therefore, you would answer “No.”

- 8. In EMP 1.22, as part of the career transition service, retraining is supposed to be provided. We had an HR briefing last week at our facility, SEA AFSS, and were told no retraining would be provided. Why? (April 19, 2005)**

Retraining is a discretionary tool available under the Career Transition Program, EMP-1.22. Managers determine the need and authorize retraining to close skill gaps to prepare employees for transition into new FAA occupations. Employees who receive retraining must sign an agreement to continue FAA employment for an appropriate amount of time or repay the cost. For employees remaining with FAA, some level of training will most likely be necessary for employees to succeed in their new positions.

- 9. If I participate in any legal action against the Agency, would it affect in any way my rights or eligibility of SPP, PPP, severance pay, RIF rights, or any other Career Transition related assistance or programs? (April 19, 2005)**

No.

Reduction-in-Force

General

1. **If I participate in any legal action against the Agency, would it affect in any way my rights or eligibility of SPP, PPP, severance pay, RIF rights, or any other Career Transition related assistance or programs? (April 19, 2005)**

No.

Designation as “Displaced”

1. **When do I cease to be a government employee? (April 19, 2005)**

Generally, you will no longer be a federal government employee once you are involuntarily separated through a reduction-in-force, retire, or resign. FAA will separate AFSS employees on our employment rolls at the end of the Phase-in period.

Notification Timeframes

1. **When will I receive my RIF Notice? (April 19, 2005)**

At least 60 days before the RIF separations are effected.

2. **Does the FAA have to follow all the provisions of Title 5 and Government-wide Reductions-In-Force procedures, or does the Agency consider itself exempt from any or all of these provisions? (April 19, 2005)**

In general, OPM regulations cover all civil service positions except those specifically excepted from the competitive service (like the FAA). Most federal agencies are competitive service and follow the regulations under title 5 of the USC. OPM interprets the Title 5 regulations for competitive service agencies. As an excepted service agency, the FAA is exempted from most of Title 5 regulations. Congress granted the FAA the right to create its own personnel system. This includes the right to develop RIF procedures, which may differ from OPM regulations.

3. **On what date will I be designated as “displaced?” (February 9, 2005)**

Current FAA policy provides for at least 60-days advance written notice prior to separation from federal service under RIF. Upon receipt of a RIF notice, you are designated as “displaced.” All

employees, both non-bargaining unit and bargaining unit, will receive notices at the same time, unless there is a compelling reason to issue them differently. If this occurs, employees will be notified if there is a change and the reason why.

FAA Placement and Waiver Programs

General

- 1. Will affected AFSS employees have to apply for each available position individually, or will they be able to be placed on a list to be considered for all such positions? (April 19, 2005)**

You must apply under each published announcement and comply with the stated application procedures to receive consideration under the PPPs and SPP.

- 2. Under what circumstances would AFSS employees be eligible for paid relocation expenses with FAA or another Federal agency? (April 19, 2005)**

The availability of paid relocation expenses will be explicitly stated in each vacancy announcement published.

- 3. How many positions will be available under the PPPs and SPP for AFSS employees to receive consideration?**

Approximately 150-200 possible positions are expected to be available to afford AFSS employees placement consideration; however, this number will increase or decrease based on staffing requirements, budget availability and any changes in mission requirements.

- 4. Will affected AFSS employees who are temporarily medically disqualified at the time the announcement is made be denied their Selection Priority Program rights?**

Under any vacancy announcement, including those under PPP or SPP, an employee must file for consideration and satisfy the qualification requirements. There is no change in how the process is handled in FAA.

- 5. If I participate in any legal action against the Agency, would it affect in any way my rights or eligibility of SPP, PPP, severance pay, RIF rights, or any other Career Transition related assistance or programs? (April 19, 2005)**

No.

ATO Preferred Placement Program

- 1. Will employees with CTOs have seniority over the employees that do not for job offers in towers and centers? (February 9, 2005)**

No, previously qualified employees do not have seniority. The selection process has not changed. All qualified employees will compete for available positions based on their own skills, experience and abilities. The selecting official will review the list of qualified candidates and he or she is responsible for making the selection.

- 2. When will more details on the process and procedures for this program be provided? (March 15, 2005)**

Office of Human Resource Management Policy Bulletin #29 "Air Traffic Organization Preferred Placement Program" provides an overview of this program at <http://www.faa.gov/ahr/policy/hrpm/bulletin/bullet29.cfm>.

This program was implemented on, February 25, 2005, and applies to all bargaining unit and non-bargaining unit employees in the affected AFSS and FSDPS facilities. The program provides an opportunity for all employees who were declared as "surplus" on February 22, 2005. The employee is responsible for applying to announced vacancies and must meet the position qualifications and must submit a copy of their surplus designation letter.

The effective dates for the programs is from February 25, 2005 to October 1, 2005.

Please refer questions about these policy bulletins to your servicing HR office.

- 3. If I submit an application, am offered a position or accept a position with Lockheed Martin, am I still eligible for the ATO Preferred Placement Program? If I accept a position with Lockheed Martin during their second HR visit, am I still eligible? If I decline a position with Lockheed Martin during their second HR visit, am I still eligible? (April 19, 2005)**

Yes. You will continue to be covered until you accept or decline a position in the FAA another Federal agency, you are separated from employment, you apply for any type of retirement, or you submit a resignation. The same rules apply to other non-Federal employers, regardless of pay offered.

- 4. Will the FAA use “time left until retirement” as a basis for selection under the ATO Preferred Placement Program? (March 15, 2005)**

No. Merit selection principles are required to be adhered to for any selection.

- 5. Now that HR Policy Bulletin 29 is effective, will surplus or displaced employees be selected prior to October 1, 2005 Transition? (March 15, 2005)**

This program was established to offer placement opportunities to surplus/displaced AFSS employees through October 1, 2005 (the end of the phase-in period). The purpose of the programs is to mitigate the impact of any reduction-in-force.

- 6. I bid on a vacancy announcement and was placed on the selection list. Will I be considered for that bid under the ATO Preferred Placement Program? (March 15, 2005)**

Yes, if the vacancy announcement is in the ATO organization and the announcement was issued under the provisions of the ATO PPP.

- 7. If I am selected for another position through ATO Preferred Placement Program at a lower grade am I entitled to "retain pay"? Does it make a difference if I am certified as “surplus” or designated as “displaced?” (March 15, 2005)**

Pay retention for employees selected for a position via the preferred placement program will be determined based on the pay-setting rules applicable to the new position. If pay retention is allowed, it will be applied.

- 8. I've heard that the Internal Placement Program (IPP) is not being used by the ATO at this time. Can I be placed into a position under the ATO Preferred Placement Program using an IPP? (March 17, 2005)**

The ATO Preferred Placement Program requires that all vacancies must be advertised and selections made in accordance with this program. If all referred AFSS candidates are non-selected, ATO may use other available avenues to consider candidates, e.g., IPPs.

- 9. I've heard PPP can be used for reassignments and downgrades. If I bid on a job 1 level above (ie: H band bidding on I band job) what happens to my bid package? Will it go to the selecting official or will it be returned to me as "not eligible" or will it be held and submitted to the selecting official if no one else bids on the job and processed as a regular bid? (April 19, 2005)**

If you are applying for a position that would be considered a promotion, you are not eligible for consideration and referral under the provisions of the ATO and FAA Preferred Placement Programs; therefore, your name will not be placed on the Preferred Placement Program selection list. However, you are still eligible to apply, and if you are found to be qualified for the position, your name will be placed on a list with other promotion candidates for consideration.

- 10. Please explain why is it that 10 MARC students were placed into Salt Lake ARTCC on March 6, 2005 and several others were placed into Denver ARTCC and Seattle ARTCC. I thought there would be no hiring outside of the agency while the hiring programs are in effect for displaced/surplus AFSS personnel. (April 19, 2005)**

The FAA has the flexibility to hire from a variety of sources to include MARC and CTI graduates. FAA is also committed to doing everything possible to assist those AFSS employees that are being adversely affected by A-76 activities; however, FAA must concurrently take those steps necessary to implement the 10-Year Strategy for the Air Traffic Control Workforce. AFSS employees who apply, are qualified and selected for air traffic controller positions will bring FAA closer to meeting its overall future air traffic controller needs.

- 11. Would you please consider making jobs in differing career fields slant bids, so we could come in at a training level, and then advance to the equivalent of FPL. e.g. airport compliance specialist, or security specialist? While it is good that the PPP was extended to all jobs in FAA, it doesn't do us in AFSS much good if all the jobs are advertised at such high rates we can't reach them. We have much to offer from the FSS ranks, but spent many years in our specialized field. We don't have the specialized experience needed for most jobs being bid, other than air traffic, but can certainly learn. We know FAA's mission, and can certainly be useful in other LOBs, we just need some training opportunities. (April 19, 2005)**

The ATO Preferred Placement Program and FAA Preferred Placement Program both contain provisions encouraging LOB/SO heads, when possible, to establish recruitment grade/levels to accommodate the current grade/level range of the AFSS workforce.

- 12. If I accept a Lockheed Martin job offer, what happens to my eligibility for the Maximum Entry Age Exemption Program? Do I still retain the ability to use the program through October 1st, or does acceptance of a Lockheed Martin job offer terminate this program for AFSS Specialists who accept a Lockheed offer? (April 19, 2005)**

Acceptance of a position with Lockheed Martin or another private employer has no impact on your eligibility to use this Program.

- 13. If I have an IPP Internal Placement Program request for reassignment to a FAA ATC Terminal and the Air Traffic manager would like to select me, am I not eligible for selection based on HRPM EMP-1.14 Permanent Internal Assignments, paragraph 9 EMPLOYEE REQUESTED REASSIGNMENTS, "An employee may initiate a request for reassignment outside of the announced vacancy process." I know I wouldn't be given Priority Placement being that is given to Announced Vacancies, but I have had two FAA AT Tower managers interested in selecting me on an IPP, but are over their staffing limit. (April 19, 2005)**

You may continue to use all internal placement programs available to you. However, any selections made that are not done so under the ATO Preferred Placement Program (PPP) will require an approved waiver to the ATO PPP Policy Bulletin #29.

- 14. Can you provide details on the ATO Preferred Placement Program? (April 19, 2005)**

The FAA PPP is designed to assist surplus/displaced employees with placement opportunities within the FAA. This program places a hiring limitation on filling internal vacancies in all FAA organization, other than the Air Traffic Organization. The provisions of this program are contained in Policy Bulletins # 32 and #32A. (NOTE: Policy Bulletin #29 established the ATO PPP)

Maximum Entry Age Exemption Program for Surplus and Displaced FAA Employees

- 1. I was selected for a tower position before the announcement was made and I do not need an age waiver. How will these selections be handled? (February 9, 2005)**

The A-76 source selection announcement does not affect any selections that have already been made or are in process now. If you were already selected for a terminal position and do not need a waiver for age 31 - your selection will be processed.

- 2. Why has the FAA decided that AFSS specialists are no longer allowed to bid on tower jobs unless they have a CTO? (February 9, 2005)**

The FAA has not changed any previous policies regarding eligibility for positions in terminal or enroute facilities. All eligible employees may still apply for and be selected for positions in terminal, enroute or any other FAA or government vacancy for which they are qualified. Employees are subject to the mandatory age limits in accordance with public law. The Age 31 Exemption program will allow additional qualified employees over the age of 31, who are not currently eligible to apply for enroute and terminal positions, the opportunity to apply for those positions. The Age 31 Exemption program will not restrict eligibility for other employees who are already qualified; they may continue to apply for those positions.

- 3. When will details on the process and procedures for this program be provided? (March 15, 2005)**

Office of Human Resource Management Policy Bulletin #30 "Maximum Entry Age Exemption Program for Surplus or Displaced Employees" provides an overview of this program at <http://www.faa.gov/ahr/policy/hrpm/bulletin/bullet30.cfm>.

This program was implemented on, February 25, 2005, and applies to all bargaining unit and non-bargaining unit employees in the affected AFSS and FSDPS facilities. The program provides an opportunity for all employees who were declared as "surplus" on February 22, 2005. The employee is responsible for applying to announced vacancies and must meet the position qualifications and must submit a copy of their surplus designation letter. Employees who apply for positions under the Age 31 program must certify their eligibility for the Age 31 exemption and a copy of the document that explains the certification procedure is provided on the Office of Competitive Sourcing website's AFSS Employee Resource at http://www.faa.gov/aca/employee_resource/emp_info_packet.htm.

The effective dates for the programs is from February 25, 2005 to October 1, 2005.

Please refer questions about these policy bulletins to your servicing HR office.

- 4. If I submit an application to Lockheed Martin, am I still eligible for the Maximum Entry Age Exemption Program? If I accept a position with Lockheed Martin during their second HR visit, am I still eligible? If I decline a position with Lockheed Martin during their second HR visit, am I still eligible? (March 15, 2005)**

Yes. Eligibility for the maximum entry age exemption program continues until you are no longer an FAA employee, you accept and are temporarily or permanently appointed to a position covered by the maximum entry age, you accept and are permanently appointed to a position in the FAA of equivalent or higher base pay to the one from which you are surplus or displaced, or you decline an offer of a position covered by the maximum entry age.

- 5. Now that HR Policy Bulletin 30 is effective, will surplus or displaced employees be selected prior to October 1, 2005 Transition? (March 15, 2005)**

This program was established to offer placement opportunities to surplus/displaced AFSS employees through October 1, 2005 (the end of the phase-in period). The purpose of the programs is to mitigate the impact of any reduction-in-force.

- 6. Under this program, can I apply for and be selected for a DOD Air Traffic job that also has a maximum entry age of 30? Or is this program only applicable for the maximum entry age applied to positions within the FAA? (March 29, 2005)**

The age 31 exemption program for surplus/displaced employees in the FAA program applies only to the FAA. However, the Department of Defense (DoD) has a waiver program for which you may be eligible. As a Federal employee, you may apply for any DoD open positions they may advertise. DoD would have to make its own determination as to your eligibility for their waiver.

Selection Priority Program

- 1. When will details on the process and procedures for this program be provided? (February 9, 2005)**

The information regarding EMP 1.9 – Selection Priority is currently available at <http://www.faa.gov/ahr/policy/hrpm/emp/EMP-1-9.cfm>

Employees will be automatically eligible to participate in this program once they have been designated as displaced, which occurs upon receipt of a RIF notice.

2. How long am I eligible for this program? (April 19, 2005)

Eligibility for the Selection Priority Program begins when a permanent employee receives a reduction-in-force notice and continues for two years from the date of the separation or until the individual accepts or declines a position at the same pay as that from which he/she was separated or downgraded with any other employer, Federal or non-Federal. However, acceptance or declination of the initial job offer from Lockheed Martin shall not form the basis for such termination from the Selection Priority Program. If the employee accepts a subsequent offer from Lockheed Martin, selection priority shall terminate.

3. If I submit an application to Lockheed Martin, am I still eligible for the Selection Priority Program? (April 19, 2005)

Yes. Eligibility for the Selection Priority Program begins when a permanent employee receives a reduction-in-force notice and continues for two years from the date of the separation or until the individual accepts or declines a position at the same pay as that from which he/she was separated or downgraded with any other employer, Federal or non-Federal. However, acceptance or declination of the initial job offer from Lockheed Martin shall not form the basis for such termination from the Selection Priority Program. If the employee accepts a subsequent offer from Lockheed Martin, selection priority shall terminate.

4. If I accept a position with Lockheed Martin during their second HR visit, am I still eligible for the Selection Priority Program? If I decline a position with Lockheed Martin during their second HR visit, am I still eligible? (April 19, 2005)

Yes to both questions. Eligibility for the Selection Priority Program begins when a permanent employee receives a reduction-in-force notice and continues for two years from the date of the separation or until the individual accepts or declines a position at the same pay as that from which he/she was separated or downgraded with any other employer, Federal or non-Federal. However, acceptance or declination of the initial job offer from Lockheed Martin shall not form the basis for such termination from the Selection Priority Program. If the employee accepts a subsequent offer from Lockheed Martin, selection priority shall terminate.

5. If I do not apply for and accept a job with Lockheed Martin, does this constitute “not responding to a job offer” and make me ineligible for the selection priority program? (April 19, 2005)

Lockheed Martin has announced publicly that they will extend job offers to all AFSS and FSDPS employees covered under the A-76 competition under their administration of the Right of First Refusal provisions. If you chose not to accept their offer, even through non-response, you will retain eligibility for the Selection Priority Program.

Eligibility for the Selection Priority Program begins when a permanent employee receives a reduction-in-force notice and continues for two years from the date of the separation or until the individual accepts or declines a position at the same pay as that from which he/she was separated or downgraded with any other employer, Federal or non-Federal. However, acceptance or declination of the initial job offer from Lockheed Martin shall not form the basis for such termination from the Selection Priority Program. If the employee accepts a subsequent offer from Lockheed Martin, selection priority shall terminate.

Age 56 Waiver Program

- 1. If I submit an application to Lockheed Martin, am I still eligible for the Age 56 Waiver Program? If I accept a position with Lockheed Martin during their second HR visit, am I still eligible? If I decline a position with Lockheed Martin during their second HR visit, am I still eligible? (March 29, 2005)**

You are still eligible to apply for a waiver to mandatory separation at age 56 as long as you are a FAA employee in a covered position. However, your eligibility stops if you either leave the Federal Government, or if you move to a non-covered position in the FAA or in another government agency.

Summary of Source Selection Process

- 1. What is a “contest?” (April 05, 2005)**

FAA’s Office of Dispute Resolution for Acquisition (“ODRA”) PROCEDURAL RULES FOR CONTESTS OF A-76 COMPETITIONS defines a contest as:

“...a formal challenge of any of the following agency actions taken in connection with a competition: (1) the issuance or the terms of a SIR; (2) the cancellation of a SIR; (3) a determination to exclude a tender or offer from a competition; (4) a performance decision, including, but not limited to, compliance with the costing provisions of OMB Circular A-76 and Section 647 of P.L. 108-199 (the 2004 Consolidated Appropriations Act), and other elements in an agency’s evaluation of offers and tenders; or (5) a termination or cancellation of a contract or letter of obligation if the challenge contains an allegation that the termination or cancellation is based in whole or in part on improprieties concerning the performance decision. The pursuit of a contest by a directly interested party and the resolution of such contest by the FAA shall be governed by the procedures set forth in these procedures.”

- 2. What is the process for contests? (April 05, 2005)**

Contests to the performance decision can be filed with the FAA's Office of Dispute Resolution for Acquisition (ODRA). Contests of the outcome of the competition must be filed not later than seven business days after the date the contesters knew or should have known of the grounds for the contest. If the contesters has requested a post-performance decision debriefing, the contest must be filed not later than five business days after the date on which the debriefing is held.

ODRA provides guidance on the procedural timeline of a contest here:

<http://www.faa.gov/agc/odra/TIMELINE.HTM>

3. How long will the contest take to adjudicate? (April 05, 2005)

ODRA procedures call for the Special Master to issue findings and recommendations within thirty (30) business days of: (1) the submission of a Product Team Response. In most cases, findings and recommendations are submitted to the ODRA Director in a much shorter period of time. For this contest, it is likely the Product Team Response will be submitted at the end of May. Although no times are specified for review by the ODRA Director or for the issuance of an Administrator's final Order, to date, the turnaround for these final activities has been relatively short.

The ODRA seeks to resolve cases expeditiously. Statistics regarding the numbers of days taken to resolve ODRA cases are maintained and can be found on their website at

<http://www.faa.gov/agc/odra/STATS2.HTM>.

4. Who has the authority to rule about the contest? Who Makes the Final Decision? (April 05, 2005)

The Administrator makes the final decision in all bid protests and contests involving acquisitions valued above \$1 million. When FAA's Acquisition Management System (AMS) was created in 1996, the Administrator created an Office of Dispute Resolution for Acquisition (ODRA), and delegated authority to that office handle all bid protests and contract disputes arising out of procurements and contracts entered into under the AMS. If the protest, contest or dispute cannot be resolved through alternative dispute resolution, the ODRA appoints a Dispute Resolution Officer or Special Master to review the evidence and arguments submitted by the parties, and develop a recommendation for the Administrator on how the case should be decided. The Administrator's authority to make the final decision on all bid protests and contract disputes is contained in 49 U.S.C. 40110(d)(4). The Administrator's delegation of authority to the ODRA can be found at <http://www.faa.gov/agc/odra/DELEG2.HTM>.

5. When will we know the outcome of the contest? (April 05, 2005)

Employees will be notified within 24 hours of a ruling.

6. If the A-76 decision should change as a result of the contest, can Lockheed or another vendor file an appeal? (April 05, 2005)

Those parties who have standing to appeal the Administrator's final Orders in ODRA cases may appeal them to the U.S. Court of Appeals for the District of Columbia Circuit, or to the U.S. Court of Appeals where the party resides or has its principal place of business, in accordance with 49 U.S.C. 46110. An adversely affected private party, such as a vendor, generally would have standing to file an appeal, while components of the FAA, such as the Acquisition Product Team, would not have standing to file an appeal.

7. Will the phase-in period for Lockheed continue during the next few weeks? (April 05, 2005)

Contract award and performance will generally continue during pendency of a protest unless there are compelling reasons for suspension. See 14 C.F.R. 17.15(d). In this case, the contesters have requested a suspension of contract activities. However, Lockheed Martin and the Office of Competitive Sourcing have submitted objections to a suspension. No decision has been made at this time.

Right of First Refusal

1. I've heard that during your visit to the Lockheed Martin Open House people are asked to sign a list that had something to do with Right of First Refusal. What is this? What does it mean if I sign it? (March 29, 2005)

To ensure that affected employees are afforded the Right of First Refusal, Lockheed Martin (LM) has been provided with a list of the names of FAA employees who are entitled to the ROFR. Questions as to how the list is being used by Lockheed Martin, in conjunction with their site visits, would have to be answered by them.

Please refer to the Lockheed Martin website <http://www.lmafsshr.com/>.

2. How long does my Right of First Refusal last? (March 29, 2005)

It is our understanding that Lockheed Martin is resolved to contact all employees entitled to Right of First Refusal. Lockheed Martin will determine the timeframe during which administration of ROFR will occur.

Please refer to the Lockheed Martin website <http://www.lmafsshr.com/>.

Next Steps

Service Provider Recruitment of Current Employees

1. **When Lockheed makes their visits, will employees who are off on leave or RDO get comp-time or credit hours for coming in? (February 15, 2005)**

All questions concerning scheduling to attend Lockheed Martin activities should be discussed with your Manager.

2. **Will AHR support be available to answer questions during these visits? (February 15, 2005)**

AHR is currently making plans to conduct briefings and is working to establish a schedule. This schedule will be widely distributed when it is finalized.